Civil Revision No. 146 of 2008

8.8.2008 **Present**: Shri Ajay Sharma, Advocate for petitioners.

This revision has been filed by the petitioner against the order passed by learned Additional District Judge in an application under Order 41 Rule 19 of the Code of Civil Procedure. Another application has been moved by plaintiff-petitioner herein stating that Shri Nanak Singh has died on 16.6.1997 and Shri Jai Parkash expired on 17.8.2001. It is undisputed that deceased were respondents before learned Appellate Court. Learned counsel appearing for petitioners submits that in this matter no order could have been passed against persons who were dead. This petition is accordingly allowed and orders under challenge is set aside. The matter is remanded to the Additional District Judge, Una, who shall take this aspect for consideration and then proceed with the matter. Revision petition stands disposed of accordingly. There shall be no order as to costs.

August 8, 2008(ms) **(Dev Darshan Sud), J.**